

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
WESTERN DIVISION**

MICHAEL A. BROWN, as Independent	)	
Executor of the Estate of BRIAN JONES,	)	
Deceased,	)	
	)	
Plaintiff,	)	
	)	
v.	)	3:21-cv-50184
	)	Honorable Iain D. Johnston
WEXFORD HEALTH SOURCES, INC.,	)	
MERRILL ZAHTZ, M.D., CARLOS FIOR,	)	Magistrate Judge Lisa A. Jensen
M.D., CHRISTINA MERSHON, N.P., HOLLY	)	
SPENCER, R.N., LISA CHATTIC, R.N.,	)	
NURSE HAYES, R.N., NURSE KESTER,	)	
R.N., NURSE EWALD, R.N., NURSE	)	
DENNING, R.N., LISA MINTER, R.N.,	)	
NURSE WOLBER, R.N., NURSE HOFILENA,	)	
R.N., NURSE SMOOT, R.N., and NURSE	)	
EMMONS, R.N.,	)	
	)	
Defendants.	)	

**UNOPPOSED DEFENDANT WEXFORD HEALTH SOURCES, INC MOTION FOR  
EXTENSION OF TIME TO PRODUCE DOCUMENTS**

NOW COMES Defendant WEXFORD HEALTH SOURCES, INC., through their attorneys CONNOLLY KRAUSE, LLC, and for their Unopposed motion for extension of time to produce responsive documents underlying the 2014 and 2018 *Lippert* Reports states as follows:

1. On November 13, 2023, this Court entered an Order directing Defendant Wexford to produce responsive documents to Plaintiff's request to produce, with specific respect to certain documents underlying the 2014 and 2018 *Lippert* Reports, on or by November 22, 2023. (Dkt. 188).

2. Prior to this order, on November 10, 2023, Defendant Wexford filed a Response to Plaintiff's Motion to Compel, with specific respect to certain documents underlying the 2014 and 2018 *Lippert* Reports, in which Defendant explained that in speaking with Wexford counsel handling the *Lippert* litigation, there were an estimated 20,000 documents to be received, some of which would be responsive, and some of which would not. (Dkt. 185).

3. Defendant received the *first* batch of documents on November 14, 2023, and promptly began reviewing said documents for the purpose of identifying responsive documents.

4. Since November 14, 2023, Defendant has received multiple, additional batches of documents, which have been identified as possibly containing responsive materials.

5. As of this writing, it is estimated that Defendant has received more than 100,000 pages worth of documents, of which have been identified as possibly containing responsive materials.

6. In addition to reviewing said documents, Defendant will be required to organize, identify, bates stamp, and label as "Confidential" under the operative Protective order, all documents received and identified for production.

7. Given the now apparent, incredible scope of this project, Defendant's respectfully request that this Court allow for an extension to the previously ordered production date of November 22, 2023, and to extend said production date to December 28, 2023.

8. Pursuant to Rule 37.2, counsel for Wexford has consulted with Plaintiff's counsel, to which Plaintiff counsel had no objection.

9. Federal Rule of Civil Procedure 6(b) gives this Court discretion to grant an extension of time for an act to be completed with good cause shown. Based on the foregoing, Defendants have provided facts to meet the good cause requirement.

WHEREFORE, Defendant, WEXFORD HEALTH SOURCES, INC., respectfully request this Court grant their motion for an extension of time to produce responsive documents underlying the 2014 and 2018 *Lippert* Reports, and provide Defendants until December 28, 2023, to produce said documents, or to grant any other relief deemed just and fair by this Court.

Respectfully submitted,

/s/ Robert Tengesdal  
One of the Attorneys for Defendants

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**CERTIFICATE OF SERVICE**

I hereby certify that on the date set forth below, I caused the foregoing document to be filed electronically with the Clerk of the Court through ECF and served on all counsel of record.

Dated: 11/21/23

By: /s/ Robert Tengesdal  
One of the Attorneys for Defendants